

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

RUDY CASTANEDA,

*Plaintiff,*

vs.

MAXIM HEALTHCARE SERVICES,  
INC.,

*Defendant.*

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

SA-23-CV-00807-JKP

**ORDER**

Before the Court is the above-styled cause of action, which was referred to the undersigned for all non-dispositive pretrial proceedings. The record reflects that on January 10, 2023, the Court issued an Order asking Plaintiff to show cause for his failure to file a motion for default because it appeared that Defendant had been served but had not yet filed an answer or other responsive pleading. After the Court issued the Order, Defendant moved for an extension of time to answer, asserting that Defendant has not been properly served with this lawsuit. The Court granted the motion and gave Defendant the deadline of January 22, 2024, to file its answer.

Plaintiff has filed a “Motion to Quash” Defendant’s request to extend the deadline [#14]. The Court has already granted Defendant’s request and imposed a new deadline. In doing so, the Court considered Plaintiff’s response to Defendant’s motion [#15]. The Court will therefore deny Plaintiff’s motion to quash.

The Court also explains to Plaintiff that he is no longer required to file a response to the Court’s Show Cause Order [#12], which was due by January 10, 2024. Plaintiff need not take

any other action in this case at this time until after Defendant files its answer or other response by January 22, 2024.

In light of the fact that Plaintiff is representing himself without an attorney in this action, the Court also directs him to the following resources to assist him in prosecuting his case:

- The Federal Rules of Civil Procedure, available at: [www.uscourts.gov/file/rules-civil-procedure](http://www.uscourts.gov/file/rules-civil-procedure)
- This Court's Local Rules, available at <https://www.txwd.uscourts.gov/court-information/lcr-civil-rules/>
- The "Complete Pro Se Manual" which is available on the Court's website at: <https://www.txwd.uscourts.gov/filing-without-an-attorney/pro-se-manual/>.

Plaintiff is directed to familiarize himself with these resources. Also, although litigants without counsel are held to a less stringent standard, they are nevertheless required to follow the rules that govern all litigants in federal court. *Grant v. Cuellar*, 59 F.3d 524, 524 (5th Cir. 1995). These rules include but are not limited to the rules and Court orders regarding conference with opposing counsel, following deadlines imposed by the rules and the Court's Scheduling Order, observing the response times for motions as set forth in Local Rule CV-7(d), and keeping the Court updated with a current address to ensure all filings are received.

**IT IS HEREBY ORDERED** that Plaintiff's Motion to Quash [#14] is **DENIED**.

SIGNED this 5th day of January, 2024.



ELIZABETH S. ("BETSY") CHESTNEY  
UNITED STATES MAGISTRATE JUDGE